

**REMARKS**

Claims 7, 8, 11, 12, 15 and 16 are pending in this application. By this Amendment, claims 7, 11, 12, 15 and 16 are amended to correct antecedent basis and grammar, and claims 9, 10, 13 and 14 are canceled. Support for amended claim 15 can be found, for example, at page 31, line 26 - page 32, line 3, of the originally filed specification. No new matter is added.

**I. Information Disclosure Statement**

An Information Disclosure Statement with Form PTO-1449 was filed on August 1, 2007. Applicants have not yet received back from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the cited information, and a check of PAIR indicates that the Information Disclosure Statement has not been scanned into the Image File Wrapper system. The Examiner is requested to initial and return to the undersigned a copy of the subject Form PTO-1449, indicating that the references have been considered of record. For the convenience of the Examiner, a copy of that form is attached, along with a complete copy of the Information Disclosure Statement and the date-stamped filing receipt.

**II. Restriction Requirement**

The Office Action acknowledges Applicants' election with traverse of claims 15-16, and maintains the Restriction (Lack of Unity of Invention) Requirement, asserting that the method and device claims are two separate statutory classes of invention, which are separately classified and would therefore constitute a burdensome search. Applicants respectfully traverse the Requirement.

First, in the Restriction Requirement, the Office Action asserts a lack of unity of invention under PCT Rule 13.2, arguing that the method and device claims lack the same or

corresponding special technical feature. However, the special technical feature of claims 7, 8, 11, 12, 15 and 16 is:

An SOI wafer in which a base wafer and a bond wafer respectively consisting of silicon single crystal are bonded via an oxide film having a thickness of 10 nm - 100 nm...wherein the base wafer is formed of silicon single crystal grown by Czochralski method, and a whole surface of the base wafer is within an N region outside of an OSF region...and does not include a defect region detected by Cu deposition method, or the whole surface of the base wafer is within a region outside of the OSF region, does not include a defect region detected by Cu deposition method, and includes an I region containing dislocation cluster due to interstitial silicon.

Because all of claims 7, 8, 11, 12, 15 and 16 include these claim features, the method and device claims each recite the same or corresponding special technical feature and, thus, have unity of invention.

Second, the Office Action asserts that the method and device claims are two separate statutory classes of invention, which are separately classified and would therefore constitute a burdensome search. However, the Office Action does not provide the classification of either the method claims or the device claims. Thus, the Office Action fails to show that there are in fact two separate statutory classes of invention that would require a separate search. In any event, separate statutory classes of invention would not form the proper basis for lack of unity of invention and, thus, the possible different classifications is not relevant.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

### **III. Claim Rejection Under 35 U.S.C. §103**

The Office Action rejects claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Applicants' admitted prior art ("the APA") in further view of Sakurada et al. (JP 2002-201093, Application No. 2000-403127) ("Sakurada"). Applicants respectfully traverse the rejection.

The claimed invention provides an SOI wafer that retains a high insulating property and has an excellent electrical reliability in device fabrication processes even in the case of forming a buried oxide film with an extremely thin thickness of 100 nm or less. See specification at page 7, lines 17-24. Despite the teachings of the APA, there is a recent demand for a thinner buried oxide film. Unfortunately, as a consequence of a thinner buried oxide film, the problem arises that a high insulating property is not retained, and the electrical reliability is degraded. See specification at page 7, lines 8-14. Neither the APA nor Sakurada, alone or in combination, provide any reason or way to solve the problems of not retaining a high insulating property and of maintaining electrical reliability.

The Office Action acknowledges that the APA does not teach the claimed feature that "the whole surface of the base wafer is within an N region formed at lower speed than an OSF region generated in a ring shape when grown with gradually decreasing pulling rate from high speed to low speed, and does not include a defect region detected by Cu deposition method." See Office Action at page 3, lines 18-21. The APA further does not teach or suggest the newly added feature in claim 15 of "an oxide film having a thickness of 10 nm to 100 nm." Neither the APA nor Sakurada, alone or in combination, disclose or provide any reason to address at least these claim features.

Sakurada merely discloses that as a silicon single crystal "in N region outside of OSF ring generated in ring state at the time of heat oxidizing process for all surfaces of the wafer, no defect region is existing which is to be detected by Cu deposition." See Sakurada Abstract, at Solution. Sakurada does not teach or provide any reason for "forming an oxide film having a thickness of 10 nm to 100 nm," as claimed.

As neither the APA nor Sakurada, alone or in combination, disclose or provide any reason for including each and every feature of claim 15, claim 15 would not have been rendered obvious by the APA and Sakurada. Claim 16 depends from claim 15 and, thus, also

would not have been rendered obvious by the APA and Sakurada. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 7, 8, 11, 12, 15 and 16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

8/1/2007 Information Disclosure Statement  
Date-Stamped Filing Receipt

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